

RESOLUTION NO. LB21/22-2

RESOLUTION OF THE GOVERNING BOARD OF THE WILLIAM S. HART UNION HIGH SCHOOL DISTRICT, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2021-1 OF THE WILLIAM S. HART UNION HIGH SCHOOL DISTRICT, DETERMINING THE NECESSITY TO INCUR BONDED INDEBTEDNESS IN AN AMOUNT NOT TO EXCEED \$33,000,000 WITHIN COMMUNITY FACILITIES DISTRICT NO. 2021-1 OF THE WILLIAM S. HART UNION HIGH SCHOOL DISTRICT, CALLING ELECTIONS, AND TAKING RELATED ACTIONS

WHEREAS, the William S. Hart Union High School District (“School District” or “District”) is a public school district organized and operating pursuant to the California law; and

WHEREAS, on May 5, 2021, the Governing Board (“Governing Board”) of the School District adopted Resolution No. 20/21-30 stating its intention to form Community Facilities District No. 2021-1 of the William S. Hart Union High School District (“CFD No. 2021-1”) and Improvement Areas A and B thereof (individually, an “Improvement Area,” and collectively, “Improvement Areas”) pursuant to the Mello-Roos Community Facilities Act of 1982, as amended (“Act”); and

WHEREAS, on May 5, 2021, the Governing Board adopted Resolution No. 20/21-31 stating its intention to incur bonded indebtedness in an amount not to exceed \$33,000,000 within proposed CFD No. 2021-1, and on behalf of each of the Improvement Areas, as set forth in Table 1 in Section 1 of this Resolution, for the purposes of financing public facilities within CFD No. 2021-1 and the Improvement Areas; and

WHEREAS, on June 9, 2021, the Governing Board adopted Resolution No. 20/21-35, which continued the public hearings relating to the formation of CFD No. 2021-1 from June 9, 2021 to July 14, 2021; and

WHEREAS, on July 14, 2021, the Governing Board approved Resolution No. 21/22-3, which again continued the public hearings from July 14, 2021 to August 4, 2021; and

WHEREAS, on August 4, 2021, the Governing Board conducted and completed a noticed hearing, as required by the Act, on the formation of CFD No. 2021-1 and the Improvement Areas thereof, the proposed Rate and Method of Apportionment of the Special Taxes to be levied within each of the respective Improvement Areas of CFD No. 2021-1 (“Rate and Method”), and to pay the principal and interest on the proposed indebtedness and to pay other obligations of the Improvement Areas of CFD No. 2021-1, all as set forth in Resolution No. 20/21-30; and

WHEREAS, at said hearing all persons desiring to be heard on all matters pertaining to the formation of CFD No. 2021-1, and the Improvement Areas thereof, were heard and a full and fair hearing was held and completed; and

WHEREAS, the Governing Board, subsequent to such hearing, adopted Resolution No. 21/22-1 establishing CFD No. 2021-1 and each of the Improvement Areas thereof.

NOW, THEREFORE, IT IS HEREBY RESOLVED BY THE GOVERNING BOARD OF THE WILLIAM S. HART UNION HIGH SCHOOL DISTRICT, ACTING AS THE LEGISLATIVE BODY OF COMMUNITY FACILITIES DISTRICT NO. 2021-1 OF THE WILLIAM S. HART UNION HIGH SCHOOL DISTRICT, AS FOLLOWS:

Section 1. The foregoing recitals are true and correct and are incorporated herein by this reference.

Section 2. It is necessary to incur bonded indebtedness in the principal amount of \$33,000,000 within CFD No. 2021-1, such bonded indebtedness to be authorized and incurred on behalf of and within the boundaries of each of the Improvement Areas in the following not-to-exceed aggregate principal amounts:

Table 1

| | |
|--------------------|-----------------|
| Improvement Area A | \$18,000,000.00 |
| Improvement Area B | \$15,000,000.00 |

Section 3. The bonded indebtedness is incurred for the purposes of financing all or a portion of the public facilities and for all other relative financing costs and expenses as described in Resolution No. 20/21-30 (“Public Facilities”), which Public Facilities are necessary to carry out the powers and purposes of CFD No. 2021-1, including the Improvement Areas thereof, including but not by way of limitation, the costs of selling bonds to finance costs of the Public Facilities. The Governing Board hereby further determines that the Public Facilities to be financed through CFD No. 2021-1 are necessary to meet increased demands on the School District as a result of development occurring, or to occur, within CFD No. 2021-1 and the Improvement Areas thereof.

Section 4. All property within the Improvement Areas of CFD No. 2021-1 not otherwise exempt from the levy of the special taxes pursuant to the Rate and Method for each Improvement Area, provided by Resolution No. 20/21-30, shall pay for the related bonded indebtedness. The amount of bonded indebtedness that may be incurred for each Improvement Area of CFD No. 2021-1 is described in Table 1, above.

Section 5. The maximum term of bonds, or equivalent securities, issued by CFD No. 2021-1 for any Improvement Area (“Bonds”) shall not exceed thirty (30) years.

Section 6. The Bonds shall bear interest at a rate or rates established at such times as the Bonds are sold in one or more series at fixed or variable interest rates, not to exceed any applicable statutory rate for such Bonds, payable semiannually, the actual rate or rates and times of payment to be determined at the time or times of sale thereof.

Section 7. A combined Community Facilities District Election (“Election”) is hereby called and ordered for August 4, 2021, for each Improvement Area. Each such Election is to

include a proposition on the authorization to incur bonded indebtedness in an amount not-to-exceed the respective aggregate principal amounts set forth in Table 1 for the Public Facilities and related issuance costs and expenses.

The Governing Board, acting as the Legislative Body of CFD No. 2021-1, hereby finds, determines, and directs as follows with respect to the Election:

(a) This Resolution shall constitute the order for such Election. Except as otherwise provided for herein, the provisions, conditions, findings, and determinations of Resolution No. 21/22-1 concerning the special election ordered and called therein are incorporated herein by this reference and shall apply to the Election.

(b) Pursuant to the documents furnished to the Governing Board, the Governing Board hereby determines that there are less than twelve (12) registered voters within CFD No. 2021-1 and therefore orders that the Election shall be a landowner voter election with each landowner having one (1) vote per acre of land, or portion thereof, which they own within the respective Improvement Area of CFD No. 2021-1.

(c) Pursuant to Section 53353.5 of the Act, the Election shall be consolidated with an election on the proposition to levy the special taxes within the Improvement Areas of CFD No. 2021-1 and establishing an appropriations limit for CFD No. 2021-1 as described in Resolution No. 21/22-1.

(d) The form of the ballot for each Improvement Area consolidated Election is attached hereto as Exhibit “A-1” (as to Improvement Area A) and “A-2” (as to Improvement Area B) and made a part hereof by this reference.

(e) A tax rate statement shall be furnished to the qualified electors within each Improvement Area of CFD No. 2021-1 pursuant to Elections Code Sections 9400–9404.

(f) The Governing Board hereby finds that all of the property owners within each Improvement Area, and not exempt from the levy of such special taxes, are informed and aware of the date of the Election, nature of the Election, and the measure language for the Election. Based thereon, the Governing Board hereby directs that no further notice(s) of the Election need be given and that such directive shall not impair the conduct of such Election, shall not impair the canvass of results thereof, and shall not impair the binding nature of the results thereof.

(g) It is hereby found and determined by this Governing Board that waivers of the applicable election periods have been provided by all of the landowner voters within each Improvement Area, and it is hereby directed that the Election shall be conducted by either a mailed ballot election or a “walk-in” election as the Election Official (as defined herein) shall determine. The owner of each parcel of property within each Improvement Area of CFD No. 2021-1, or the designated voting representative or authorized proxy for such person or party, shall be a qualified voter for this Election. Any landowner voter may provide a proxy, or vote through a designated voting representative, as specified through an appropriate power of attorney or written voter designation form. For the purposes of this Election, the boundaries of CFD No. 2021-1 and each of the Improvement Areas thereof shall constitute a single election precinct.

(h) The Election shall be held pursuant to the provisions of the Act, the applicable provisions of the Elections Code of the State of California, and all other applicable provisions of law, subject to the proceedings and directives referenced herein.

Section 8. Pursuant to the provisions of Section 53327(b) of the Act, the Governing Board hereby directs that the School District's Chief Business Officer or designee by the Superintendent shall be the Election Official ("Election Official") for the Election. The Election Official shall take all actions necessary to conduct the Election as described herein.

Section 9. Pursuant to Government Code Section 53410, the Governing Board, acting as the Legislative Body of CFD No. 2021-1, hereby finds, determines and directs as follows:

(a) The purpose of the Bonds to be authorized for each Improvement Area pursuant to the Election is to finance, refinance or provide funding for the Public Facilities as further described herein and in Resolution No. 20/21-30.

(b) The Governing Board hereby provides that at the time the Bonds are authorized by the Governing Board for issuance, the Governing Board shall provide, in such issuance resolution or other bond issuance documents, that the proceeds of the Bonds shall be used only for the purposes set forth in Section 9(a), above.

(c) The Governing Board hereby provides that at the time the Bonds are authorized by the Governing Board for issuance, the Governing Board shall provide in such issuance resolution or other bond issuance documents for the creation of one or more funds or accounts (which may include subaccounts) into which the proceeds of the Bonds, or each series of Bonds as the case may be, shall be deposited. The Bonds may be issued in one or more series and the provisions and restrictions of this Section 9 shall apply to each such series of the Bonds.

(d) The District's Chief Business Officer, or such other officer(s) as shall be designated by the Superintendent, shall have the responsibility, no less often than annually, to provide to the Governing Board a written report which shall contain at least the following information:

- (i) The amount of the Bond proceeds received and expended within the identified period of time. If no Bonds have been issued and sold, the report may simply note such situation; and
- (ii) In the event that Bonds have been issued and sold, and proceeds therefore received, the report shall include the status of the acquisition, construction or financing of the Public Facilities with the proceeds of such Bonds or series of Bonds.

The report required by this Section 9(d) may be combined with other periodic reports which include the same information, including, but not limited to, periodic reports made to CDIAC, continuing disclosure reports provided in connection with outstanding Bonds and/or the reports required under Section 9(d) of this Resolution.

The requirements of this Section 9(d) shall apply only until all Bonds, or each series of Bonds, are redeemed or defeased, but if the Bonds or any series of Bonds are refunded, such provisions shall apply until all such refunding bonds are redeemed or defeased.

Section 10. The Clerk of the Governing Board and District staff and consultants are hereby directed to take all necessary action(s) as may be required by the Election Official to conduct the Election.

APPROVED, ADOPTED, AND SIGNED on this 4th day of August, 2021.

**WILLIAM S. HART UNION HIGH SCHOOL
DISTRICT**

By: _____
President of the Governing Board of the
William S. Hart Union High School District

ATTEST:

By: _____
Clerk of the Governing Board of the
William S. Hart Union High School District

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

I, Joe Messina, Clerk of the Governing Board of the William S. Hart Union High School District, do hereby certify that the foregoing was duly adopted by the Governing Board, Acting as the Legislative Body of CFD No. 2021-1, of such District at a regular meeting of said Board held on the 4th day of August, 2021, at which a quorum of the Board was present and acting throughout, for which notice and an agenda were prepared and posted as required by law, the Board members had due notice of the meeting, and the attached resolution was adopted at such meeting by the following vote:

AYES:

NOES:

ABSTAIN:

ABSENT:

Clerk, Governing Board of the William S. Hart Union
High School District

STATE OF CALIFORNIA)
) ss.
COUNTY OF LOS ANGELES)

I, Joe Messina, Clerk of the Governing Board of the William S. Hart Union High School District, do hereby certify that the foregoing is a true and correct copy of Resolution No. LB21/22-2, which was duly adopted by Governing Board of the William S. Hart Union High School District, Acting as the Legislative Body of CFD No. 2021-1, at a meeting thereof on August 4, 2021.

Dated this 4th day of August, 2021.

Clerk, Governing Board of the William S. Hart
Union High School District

EXHIBIT “A-1”

SAMPLE CONSOLIDATED ELECTION BALLOT FORM

OFFICIAL BALLOT

**BALLOT
NO. XXX**

**OFFICIAL BALLOT - MARK CROSS (+)
ON BALLOT WITH PEN OR PENCIL**

OFFICIAL BALLOT

**COMBINED SPECIAL TAX AND BOND ELECTION
CONDUCTED WITHIN
IMPROVEMENT AREA A OF
COMMUNITY FACILITIES DISTRICT NO. 2021-1
OF THE WILLIAM S. HART UNION HIGH SCHOOL DISTRICT**

August 4, 2021

To vote, mark a cross (+) in the voting square after the word “YES” or after the word “NO”. All marks otherwise made are forbidden. All distinguishing marks are forbidden and make the ballot void.

If you wrongly mark, tear, or deface this ballot, return it to the Election Official of the William S. Hart Union High School District and obtain another.

PROPOSITION A:

Shall Improvement Area A of Community Facilities District No. 2021-1 (“CFD No. 2021-1”) of the William S. Hart Union High School District (“School District”) be authorized to finance the cost of public school facilities, as described in Resolution No. 20/21-30 of the School District, by incurring bonded indebtedness in a maximum amount of \$18,000,000, and shall CFD No. 2021-1 be authorized to annually levy special taxes on property within CFD No. 2021-1, as set forth in Resolution No. 20/21-30, to pay for public school facilities and to pay for bonded indebtedness authorized under this Proposition A?

| | |
|-----|----------------------|
| YES | <i>SAMPLE</i> |
| NO | <i>SAMPLE</i> |

PROPOSITION B:

Shall Improvement Area A of Community Facilities District No. 2021-1 (“CFD No. 2021-1”) of the William S. Hart Union High School District (“School District”) be authorized to finance the cost of public water facilities owned and operated by the Los Angeles County Waterworks District No. 36, as described in Resolution No. 20/21-30 of the School District, by incurring bonded indebtedness in a maximum amount of \$18,000,000, and shall CFD No. 2021-1 be authorized to annually levy special taxes on property within CFD No. 2021-1, as set forth in Resolution No. 20/21-30, to pay for such public water facilities and to pay for bonded indebtedness authorized under this Proposition B?

| | |
|-----|----------------------|
| YES | <i>SAMPLE</i> |
| NO | <i>SAMPLE</i> |

PROPOSITION C:

Shall Improvement Area A of Community Facilities District No. 2021-1 (“CFD No. 2021-1”) of the William S. Hart Union High School District (“School District”) be authorized to finance the cost of public sewer facilities owned and operated by the Santa Clarita Valley Sanitation District, as described in Resolution No. 20/21-30 of the School District, by incurring bonded indebtedness in a maximum amount of \$18,000,000, and shall CFD No. 2021-1 be authorized to annually levy special taxes on property within CFD No. 2021-1, as set forth in Resolution No. 20/21-30, to pay for such public sewer facilities and to pay for bonded indebtedness authorized under this Proposition C?

| | |
|-----|----------------------|
| YES | <i>SAMPLE</i> |
| NO | <i>SAMPLE</i> |

PROPOSITION D:

Shall Improvement Area A of Community Facilities District No. 2021-1 (“CFD No. 2021-1”) of the William S. Hart Union High School District (“School District”) be authorized to finance the cost of public elementary and middle school facilities owned and operated by the Castaic Union School District, as described in Resolution No. 20/21-30 of the School District, by incurring bonded indebtedness in a maximum amount of \$18,000,000, and shall CFD No. 2021-1 be authorized to annually levy special taxes on property within CFD No. 2021-1, as set forth in Resolution No. 20/21-30, to pay for such public elementary and middle school facilities and to pay for bonded indebtedness authorized under this Proposition D?

| | |
|-----|----------------------|
| YES | <i>SAMPLE</i> |
| NO | <i>SAMPLE</i> |

PROPOSITION E:

For each year, commencing with fiscal year 2021-2022, shall an appropriations limit, as defined by Section 8(b) of Article XIII B of the California Constitution, be established for Improvement Area A of Community Facilities District No. 2021-1 of the William S. Hart Union High School District in an amount equal to \$18,000,000?

| | |
|-----|----------------------|
| YES | <i>SAMPLE</i> |
| NO | <i>SAMPLE</i> |

THIS BALLOT HAS A VALUE OF __ VOTES

EXHIBIT “A-2”

SAMPLE CONSOLIDATED ELECTION BALLOT FORM

OFFICIAL BALLOT

**BALLOT
NO. XXX**

**OFFICIAL BALLOT - MARK CROSS (+)
ON BALLOT WITH PEN OR PENCIL**

OFFICIAL BALLOT

**COMBINED SPECIAL TAX AND BOND ELECTION
CONDUCTED WITHIN
IMPROVEMENT AREA B OF
COMMUNITY FACILITIES DISTRICT NO. 2021-1
OF THE WILLIAM S. HART UNION HIGH SCHOOL DISTRICT**

August 4, 2021

To vote, mark a cross (+) in the voting square after the word “YES” or after the word “NO”. All marks otherwise made are forbidden. All distinguishing marks are forbidden and make the ballot void.

If you wrongly mark, tear, or deface this ballot, return it to the Election Official of the William S. Hart Union High School District and obtain another.

PROPOSITION F:

Shall Improvement Area B of Community Facilities District No. 2021-1 (“CFD No. 2021-1”) of the William S. Hart Union High School District (“School District”) be authorized to finance the cost of public school facilities, as described in Resolution No. 20/21-30 of the School District, by incurring bonded indebtedness in a maximum amount of \$15,000,000, and shall CFD No. 2021-1 be authorized to annually levy special taxes on property within CFD No. 2021-1, as set forth in Resolution No. 20/21-30, to pay for public school facilities and to pay for bonded indebtedness authorized under this Proposition F?

| | |
|-----|----------------------|
| YES | <i>SAMPLE</i> |
| NO | <i>SAMPLE</i> |

PROPOSITION G:

Shall Improvement Area B Community Facilities District No. 2021-1 (“CFD No. 2021-1”) of the William S. Hart Union High School District (“School District”) be authorized to finance the cost of public water facilities owned and operated by the Los Angeles County Waterworks District No. 36, as described in Resolution No. 20/21-30 of the School District, by incurring bonded indebtedness in a maximum amount of \$15,000,000, and shall CFD No. 2021-1 be authorized to annually levy special taxes on property within CFD No. 2021-1, as set forth in Resolution No. 20/21-30, to pay for such public water facilities and to pay for bonded indebtedness authorized under this Proposition G?

| | |
|-----|----------------------|
| YES | <i>SAMPLE</i> |
| NO | <i>SAMPLE</i> |

PROPOSITION H:

Shall Improvement Area B Community Facilities District No. 2021-1 (“CFD No. 2021-1”) of the William S. Hart Union High School District (“School District”) be authorized to finance the cost of public sewer facilities owned and operated by the Santa Clarita Valley Sanitation District, as described in Resolution No. 20/21-30 of the School District, by incurring bonded indebtedness in a maximum amount of \$15,000,000, and shall CFD No. 2021-1 be authorized to annually levy special taxes on property within CFD No. 2021-1, as set forth in Resolution No. 20/21-30, to pay for such public sewer facilities and to pay for bonded indebtedness authorized under this Proposition H?

| | |
|-----|----------------------|
| YES | <i>SAMPLE</i> |
| NO | <i>SAMPLE</i> |

PROPOSITION I:

Shall Improvement Area B Community Facilities District No. 2021-1 (“CFD No. 2021-1”) of the William S. Hart Union High School District (“School District”) be authorized to finance the cost of public elementary and middle school facilities owned and operated by the Castaic Union School District, as described in Resolution No. 20/21-30 of the School District, by incurring bonded indebtedness in a maximum amount of \$15,000,000, and shall CFD No. 2021-1 be authorized to annually levy special taxes on property within CFD No. 2021-1, as set forth in Resolution No. 20/21-30, to pay for such public elementary and middle school facilities and to pay for bonded indebtedness authorized under this Proposition I?

| | |
|-----|----------------------|
| YES | <i>SAMPLE</i> |
| NO | <i>SAMPLE</i> |

PROPOSITION J:

For each year, commencing with fiscal year 2021-2022, shall an appropriations limit, as defined by Section 8(b) of Article XIIB of the California Constitution, be established for Improvement Area B of Community Facilities District No. 2021-1 of the William S. Hart Union High School District in an amount equal to \$15,000,000?

| | |
|-----|----------------------|
| YES | <i>SAMPLE</i> |
| NO | <i>SAMPLE</i> |

THIS BALLOT HAS A VALUE OF __ VOTES

SAMPLE